

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
(Alexandria Division)**

RENETTO, LLC,

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Plaintiff,

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v.

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Civil Action No. 1:07CV789A

**PROFESSIONAL SALES AND
MARKETING GROUP, INC.,**

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*

Defendant.

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PLAINTIFF'S REPORT AND PROPOSED DISCOVERY PLAN

Pursuant to Federal Rule of Civil Procedure 26(f) and Rule 26(A) of the Local Rules of the United States District Court for the Eastern District of Virginia, the Plaintiff submits the following report and proposed discovery plan:

1. Rule 26(f) Conference: As required by Fed. R. Civ. P. 26(f), the parties conferred via telephone on October 30, 2007 and via e-mail on October 31, 2007.

2. Settlement: The parties have engaged in extensive settlement discussions to date. At this time, there appears to be little chance for settlement prior to trial.

3. Initial Disclosures: Plaintiff proposes that Fed. R. Civ. P. 26(a)(1) initial disclosures be exchanged between on or before November 5, 2007.

4. Joinder of Additional Parties and Amendment of Pleadings to Add Claims:
Because the joinder of any additional parties or the addition of any new claims would have considerable impact on the schedule, Plaintiff proposes that any motion to add new parties or claims be filed on or before November 30, 2007.

5. Discovery Schedule: The Plaintiff submits that there is no need to alter the February 15, 2007 discovery deadline set forth in the Court's Order of October 12, 2007 and proposes that the parties be required to serve all discovery requests such that answers thereto are due no later than February 15, 2007.

6. Expert Disclosures: The Plaintiff proposes that the following deadlines be adopted in regard to expert disclosures under Fed. R. Civ. P. 26(a)(2) and Local Rule 26(D)(2):

- a. Plaintiff's Initial: December 17, 2007.
- b. Defendants': January 16, 2007.
- c. Plaintiff's Rebuttal: January 30 30, 2007.

7. Discovery of Electronically Stored Information ("ESI"): The Plaintiff believes that both parties are in possession of large amounts of relevant ESI in this matter. In particular, the Plaintiff believes that the Defendant is in possession of ESI relating to, among other things, sales of the canopy chair in question that would be directly relevant to the Plaintiff's claims for damages in this case. Accordingly, the Plaintiff submits that the parties should be prepared to produce that ESI in its native format, absent another agreement by the parties.

8. Trial by Magistrate: The Plaintiff does not consent to trial by a magistrate judge.

Respectfully submitted,

/s/

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